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Developments in the field of information and telecommunications in the context of international security

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Report of the Secretary-General

Addendum*

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* The information in the present report was received after the issuance of the main report.

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II. Replies received from Governments

Cuba

[Original: Spanish]
[7 June 2011]

Information and telecommunications systems can be turned into weapons when they are designed and/or used to damage the infrastructure of a State, and as a result, can put at risk international peace and security.

The hostile use of telecommunications, with the declared or hidden intent of undermining the legal and political order of States, is a violation of the internationally recognized norms in this area and a negative and irresponsible use of such means, which can give rise to tensions and situations that are not conducive to international peace and security and thereby undermine the principles and purposes enshrined in the Charter of the United Nations.

Cuba fully shares the concern expressed in General Assembly resolution 65/41 with respect to the use of information technologies and means for purposes inconsistent with international stability and security and which adversely affect the integrity of States, to the detriment of their security in the civilian and military fields. This resolution also appropriately stresses the need to prevent the use of information resources and technologies for criminal or terrorist purposes.

In this regard, Cuba reiterates its condemnation, already expressed in various international forums, of the aggressive escalation by successive United States administrations of their radio and television war against Cuba which violates the international rules in force governing the radio-electric spectrum. That aggression is being perpetrated without reparations for the damage that could be caused to international peace and security by creating dangerous situations, such as the use of a military aircraft to transmit television signals to Cuba without its agreement.

At the end of March 2011, a total of 2,226 hours of weekly illegal transmissions, broadcast on 29 frequencies, had been recorded. As has been pointed out on previous occasions, several of these broadcasters belong to or offer their services to organizations linked with known terrorist elements who live in and act against Cuba from United States territory, broadcasting programmes in which they incite sabotage, political attacks and assassination, among other topics of radio-terrorism.

These provocative broadcasts against Cuba constitute violations of the following international principles:

- The fundamental principles of the International Telecommunication Union, expressed in the preamble to its Constitution, on the growing importance of telecommunication for the preservation of peace and the economic and social development of all States, with the object of facilitating peaceful relations, international cooperation among peoples and economic and social development by means of efficient telecommunication services. The content of the television programming broadcast by the Government of the United States of America against Cuba is subversive, destabilizing and deceptive in character, contradicting those principles.

- Provisions CS 197 and CS 198 of the Constitution of the International Telecommunication Union stating that all stations, whatever their purpose, must be effectively established and operated in such a manner as not to cause harmful interference to the radio services or communications of other member States.

- Agreement at the ninth plenary meeting of the World Radiocommunication Conference held in November 2007, which stated in paragraph 6.1 (g) "that a broadcasting station operating on board an aircraft and transmitting solely to the territory of another administration without its agreement cannot be considered in conformity with the Radio Regulations".

- Radio Regulation 8.3, establishing that internationally recognized frequency assignments recorded must be taken into account by other administrations when making their own assignments, in order to avoid harmful interference.

- Radio Regulation 42.4, prohibiting the operation of a broadcasting service by an aircraft station at sea and over the sea.

- A ruling of the Radio Regulations Board, which at its thirty-fifth meeting in December 2004 established that United States emissions on 213 MHz resulted in harmful interference with Cuban services and requested the United States Government to take the relevant measures to halt them. Furthermore, since September 2006 the Radio Regulations Board has been requesting the United States Government to take measures to eliminate interference on 509 MHz, with no response to date. In the summary of decisions of the fiftieth meeting of the Board, which ended on 20 March 2009 (document RRB09-1/5), it was once again stated that the transmissions were illegal and the United States Government was requested to take all necessary steps with a view to eliminating those two cases of interference with television services in Cuba.

- Radio Regulation 23.3, limiting television broadcasting outside national frontiers. A report issued in January 2009 by the General Accounting Office of the United States of America, an official government agency, recognizes the violations of international norms and domestic legislation committed by the programme of radio and television broadcasts by the United States Government against Cuba.

Cuba recalls, moreover, that the World Radiocommunication Conference, which met in Geneva from 22 October to 16 November 2007, adopted conclusions that found transmissions from aircraft from the United States to Cuba to be in violation of the Radio Regulations. The conclusions endorsed by the plenary stated that "a broadcasting station operating on board an aircraft and transmitting solely to the territory of another administration without its agreement cannot be considered in conformity with the Radio Regulations". These conclusions have legal standing in the work of the International Telecommunication Union. The World Radiocommunication Conference thus endorsed the 1990 ruling of the former International Frequency Registration Board that television broadcasts from an aerostat with programming directed to Cuban national territory were in violation of the Regulations.

Furthermore, at its fifty-fourth meeting, held from 5 to 13 July 2010, the Radio Regulations Board of the International Telecommunication Union adopted the following decision:

After carefully considering the report of the Director and the submission from Cuba (document RRB10-2/3 (Add.1)), the Board noted with regret that interference to the broadcasting stations of Cuba by the transmissions from the United States is continuing, and decided to maintain its previous decisions in this matter.

The Board also noted the request to the "Bureau, in its capacity as Executive Secretary of the Board" to raise the issue of harmful interference to the VHF/UHF broadcasting stations of Cuba at the forthcoming Plenipotentiary Conference. Recognizing the sovereign right of every Administration to raise any issue at the Plenipotentiary Conference, the Board confirmed that the two representatives of the Radio Regulations Board at the 2010 Plenipotentiary Conference and its Executive Secretary will be ready to provide any relevant information and advice that might be required at the forthcoming Plenipotentiary Conference.

The hostility of the Government of the United States of America towards Cuba has been manifested through the economic, financial and trade embargo imposed for over fifty years, which also affects information and telecommunications:

- Cuba continues to have no access to the services provided by many websites; when it is recognized that the link is being established from an Internet address with the Cuban domain name .cu, access is denied.
- Without prior notification, .com domains related to Cuba have been blocked, as have Facebook and Twitter accounts.
- With complete cynicism and hypocrisy, the United States falsely accuses Cuba of preventing its citizens from accessing the global network, while the very different reality is that Cuba is unable to connect to the fibre-optic cables that surround the Cuban archipelago, owing to the embargo laws applied by the United States, forcing the country to pay for expensive satellite services.
- In 2009, the Empresa de Telecomunicaciones de Cuba S.A. lost around US$ 52,868,000 as a result of the impact on production and services, additional freight costs and the lack of access to United States technology, among other things. Equipment and spare parts patented by United States companies, which are essential to the development and maintenance of Cuban telecommunications companies, are acquired on the international market under strict control and supervision measures and are priced considerably higher.

The discussion in the General Assembly about developments in the field of information and telecommunications in the context of international security is very pertinent and important. Actions such as those described above by the United States of America against Cuba confirm the need for that debate and the urgency of finding solutions to put an end to such manifestations of State terrorism.

Cuba strongly supports such discussions in the General Assembly and therefore supported resolution 65/41. Cuba will continue to spare no effort to contribute to the peaceful global development of information and telecommunication technologies and their use for the good of all humanity. Cuba reaffirms that it is prepared to collaborate with other countries, including the United States of America, to find solutions that will overcome the obstacles preventing the achievement of these goals.

Ecuador

[Original: Spanish]
[7 June 2011]

1. General appreciation of the issues of information security

Adequate safeguards and protection of information have always been necessary regardless of its format. With the emergence and use of information and communications technologies, societies now have new ways of generating, publishing and storing information.

Information and communication technologies have been widely adopted in societies and are considered to be the foundations that support the current globalized world; however, this widespread usage, among other things, has exposed the information generated, published and stored using information and communication technologies to a wide range of threats, known as cybercrime, that can have a serious impact on such areas as the confidentiality, integrity and availability of the information.

In light of these threats, the national authorities in Ecuador are facing challenges that include establishing public policies, introducing legal standards, building organizational structures, defining procedures, establishing controls, raising awareness and providing training for the public, in order to be able to characterize, prevent, act on, protect against, control and punish offences relating to information security.

2. Efforts at the national level to strengthen information security and promote international cooperation in this field

Ecuador has introduced into its legal system the legal basis for the protection of data and of systems of public databases or data registries through the enactment of the Electronic Commerce, Electronic Signatures and Data Messages Act; and the National System of Public Data Registries Act, respectively, which comprise international recommendations and trends with regard to the security of information and telecommunications systems that have arisen in such bodies as the United Nations.

With regard to information security, the Ministry of Telecommunications and the Information Society is carrying out a study on the introduction of a forensic information centre, a security investigation centre and an incident response centre.

In practice, cybercrime crosses national borders very easily, which makes monitoring and punishment more difficult. For that reason, there must be a binding international policy, through which countries can coordinate the development of national programmes to criminalize offences committed using information systems and require a common penal policy that aims to prevent criminality in cyberspace, in particular through adopting appropriate legislation and strengthening international cooperation.

3. The content of the concepts mentioned in paragraph 2 above

We believe that the purpose of these strategies could be promoted through the continued examination of relevant international concepts aimed at strengthening the security of global information and telecommunications systems.

4. Possible measures that could be taken by the international community to strengthen information security at the global level

These measures include ongoing coordination and cooperation between international organizations related to cybersecurity and strengthened coordination between related national authorities and bodies.

Guyana

[Original: English]
[14 June 2011]

Guyana acknowledges that with the rapid development of information technology, control mechanisms must be put in place to secure critical information infrastructure. At the international level, Guyana has been participating in training courses and conferences organized by regional and bilateral partners aimed at providing law enforcement officials with the necessary investigative tools and strengthening the capacity of the respective agencies to address cybersecurity. At the national level, Guyana hosted a National Conference on Cybersecurity in 2010, at which overseas and local facilitators made presentations and over 90 persons were trained. Currently, the Government of Guyana is drafting the appropriate legislation to address the issue of cybersecurity. Guyana is of the view that international cooperation and assistance are essential for enabling small developing countries to strengthen their national cybersecurity frameworks.

Portugal

[Original: English]
[18 August 2011]

Portugal acknowledges the challenges and opportunities that the development of information and telecommunication technologies present.

Portuguese legislation has incorporated high standards while striking a balance between the interests of stakeholders and security. In effect, Portuguese legislation provides for the protection of fundamental rights, namely freedom of information, privacy and data protection, and copyright protection. Providers of publicly available telephone services ought to ensure uninterrupted access to emergency services, and notifications are due in case of a breach of security or loss of integrity that has a significant impact on the operation of networks or services, or in case of personal data breaches. Security audits are conducted regularly.

In addition, Portuguese legislation has special provisions regarding the protection of critical information infrastructures, especially those that have a cross-border impact (e.g. submarine cables and satellite systems) or disturb the continuity of their supply chains.

Furthermore, Portugal participates in relevant forums, such as the International Telecommunication Union and the Organization for Economic Cooperation and Development, and cooperates with its partners in cross-border exercises, in the development of computer emergency response teams and in research and development programmes.

Turkmenistan

[Original: Russian]
[15 June 2011]

Turkmenistan bases its policy on the principles of positive neutrality and peacefulness and supports broad international cooperation to ensure global peace, security and sustainable development. In view of the role of science and technology in international security, Turkmenistan favours the adoption of the latest information technologies and means of telecommunication. In this regard, a revised version of the Telecommunications Act was adopted in 2010 to regulate the provision of information and telecommunications services and to help protect against the destruction, modification and blocking of information, unauthorized information leaks and disruption of normal routing.

Recognizing that the dissemination and use of information technologies and means affect the interests of the entire international community and that these technologies and means can potentially be used for purposes that are inconsistent with the objectives of maintaining international stability and security and may adversely affect the integrity of the infrastructure of States, the Telecommunications Act prohibits actions that could pose a threat to the secure operation of telecommunications networks, their integrity, interoperability and information security, and the electromagnetic compatibility of radio systems.

Reflecting the widespread use of high technology in Turkmenistan, electronic document management and e-government systems are being established. In response to the global concern with the need to prevent the use of information resources or technologies for criminal or terrorist purposes, Turkmenistan is also introducing high-tech information security measures and revising its legislation. In 2009, a law was adopted to combat the legalization of funds obtained by criminal means and the financing of terrorism. In accordance with that legislation, the Financial Supervisory Authority was established within the Ministry of Finance of Turkmenistan and given the task of combating the legalization of funds obtained by criminal means.

Turkmenistan continues to actively develop its information and telecommunications protection systems in the context of international security.